

TROY HISTORIC DISTRICT STUDY COMMITTEE – FINAL

MAY 23, 2006

This rescheduled meeting of the Troy Historic District Study Committee was held Tuesday, May 23, 2006 at the Troy Museum & Historic Village. The meeting was called to order at 7:33 P.M.

ROLL CALL

PRESENT: Kevin Lindsey
Charlene Harris-Freeman
Kinda Hupman
Paul Lin
Linda Rivetto

ABSENT: Bob Miller
Marjorie Biglin

STAFF: Loraine Campbell

GUEST: Carl Freeman

Resolution #HDSC-2006-05-001

Moved by Hupman

Seconded by Rivetto

RESOLVED, That the absences of Miller and Biglin be excused

Yes: 5— Lindsey, Harris-Freeman, Hupman, Lin and Rivetto

No: 0

MOTION CARRIED

Resolution #HDSC-2006-05-002

Moved by Hupman

Seconded by Rivetto

RESOLVED, That the minutes of March 7, 2006 be approved

Yes: 5— Lindsey, Harris-Freeman, Hupman, Lin and Rivetto

No: 0

MOTION CARRIED

OLD BUSINESS

A. Request to de-list 2955 Quail Run Dr

The committee reviewed a letter from Carl Freeman to Linda Rivetto that asked her to remove herself from the official decision making process regarding delisting 2955 Quail Run Dr. The letter was copied to the City Attorney who stated Ms. Rivetto was allowed to express her opinions on the issue. She should

MEMORANDUM

TO: Troy Historic Study Committee

FROM: Charlene Harris Freeman and Carl Freeman

RE: Quail Run Property

DATE: May 23, 2006

BACKGROUND

Charlene Harris-Freeman (the “Petitioner”) is the current owner of the house and property located at 2955 Quail Run, Troy, Michigan (the “House” or “Property”). In 1984, the City designated the Property as a historic district allegedly under the authority of the Local Historic Districts Act, MCL 399.201, et seq. (“LHDA”). The City designated the Property for its alleged association to Stephen V. R. Trowbridge (“Trowbridge”), an early settler of Troy Township, who originally owned the entire Northwest ¼ and part of the Southwest ¼ of section 18. According to land and tax parcel records, Trowbridge obtained the approximately 203 acres under an 1821 land patent from the U.S. government and a deed from his brother, who also obtained his portion of the Northwest 1/4 of Section 18 under a U.S. patent. The City claimed when it created the historic district that Trowbridge built the existing house, around 1830. The City had no proof that Trowbridge built the House or the year in which it was built. In the past, there were several different structures on the land including a barn, stables, outbuildings and other unknown structures. The City’s history of the site sheds no light on who built the structures, including the House, when they were built, when they were removed and who removed them.

dcfreemanad5728@sbcglobal.net

From: "Robbert McKay" <McKayR@michigan.gov>
To: "Carl Freeman" <cfreeman@sun.science.wayne.edu>
Sent: Monday, April 03, 2006 12:43 PM
Subject: Re: Test e-mail

Dear Mr Freeman:

As we have discussed, based on your physical description of the house and the details of its construction, most notably the use of wire nails, it seems extremely unlikely that your home was constructed before 1880. Wire nails were not manufactured until 1880 and did not come into wide spread use until the middle 1880's. Other factors which lead me to believe that the building was constructed significantly later than 1831 are the use of single species standard dimension lumber, sawn lath to support the plaster and continuous balloon framing from the foundation to the attic. Despite the length of time that the Detroit area had been settled in the 1830's these types of off site manufactured building products would have been in very short supply if available at all. I believe that the construction of the residence more likely dates to between 1885 and 1895.

If you have additional questions please feel free to contact and I will do my best to help you.

Sincerely,

Robbert McKay
Historical Architect
State Historic Preservation Office
Michigan Historical Center
Department of History, Arts and Libraries
P.O. Box 30740
702 W. Kalamazoo St.
Lansing, MI 48909-8240

Phone: (517) 335-2727
Fax: (517) 335-0348

e-mail: McKayR@Michigan.gov
www.michigan.gov/shpo

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>>> "Carl Freeman" <cfreeman@sun.science.wayne.edu> 3/27/2006 >>>
Robbert,

Your test was successful. Here are the problems I have that the house was built in 1831.

When you write back, please indicate the likely age and why.

tx
Carl Freeman

4/30/2006

April 18, 2006

Ms. Charlene Harris-Freeman
Mr. Carl Freeman
2955 Quail Run Dr.
Troy, MI 48098-4126

RE: Construction period of historic house at 2955 Quail Run Drive

Dear Charlene and Carl:

It was my privilege to visit with you at your home on Wednesday, April 12, 2006. You invited me to walk through your home and assist you in identifying the time period in which the home was built. We addressed a number of issues during our walk-thru including:

- 1) Floor joist size and condition
- 2) Types of nails used in construction
- 3) Type of construction used for the home
- 4) The a-symmetric arrangement of the façade
- 5) The sidelight arrangement at the entrances
- 6) The transom arrangement at the entrances
- 7) Dormer positions
- 8) Window configuration

Other conditions also present in the home were discussed including the type of wood lath that is visible, the arrangement of the sub-floor boards and more.

During the visit we also discovered that a key clue could be ascertained from the original door hardware still in place on the interior of the house. I suggested that you disassemble one of the units and look for clues as to the manufacturer, then go on line and see if that manufacturer still exists and has records of historical hardware. It is my understanding that you were able to determine that the hardware was an original model invented by Carl Corbin in 1868. Carl Corbin went on to found Corbin Lock Company, which still exists today. This clue in itself, places the approximate construction period of the home in the 1870's to 1880's.

architectural studios of

GERALD J. YURK ASSOCIATES

incorporated

ARCHITECTURE & INTERIORS

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Rochester, Michigan 48307

Phone 248.656.1881

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Website: www.geraldjyurk.com

Ms. Charlene Harris-Freeman
Mr. Carl Freeman
April 18, 2006
Page two

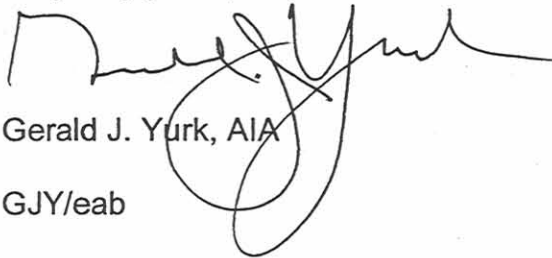
My research into balloon framing, which is present in your home, revealed that balloon framing appeared first in the Chicago market in the mid 1800's. It moved to other parts of the Midwest following that period. This too substantiates that the construction period of your home is, without a doubt 1870's to 1880's.

Floor joists in your home are full 2 x 12, varying in width from 1 7/8 to 2 1/8 inches, consistently spaced at 16" on center and are rough sawn soft wood, such as pine. Another clue that points to 1870's to 1880's.

The original windows appear to be in excellent condition. It was noted that they are glazed with relatively clear glass; only minimal waviness is evident in the glass. Some of the panes are larger than a typical sash of an earlier period. This too, tends to substantiate the approximate date of 1870 to 1880.

After carefully considering all of these points, I feel confident in representing to you that the construction of your home is in the timeframe between 1870 and 1890.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Gerald J. Yurk', with a large, stylized flourish at the end.

Gerald J. Yurk, AIA

GJY/eab

MICHIGAN ABOVE-GROUND SURVEY FIELD FORM

ADDRESS

Number: 2955
City/Village: Troy
Direction
Street: Quail Run Drive
Township

SURVEY INFO

Survey Date: 1/1/06-4/1/06
Surveyor: Charlene Harris-Freeman

NAME:

Historic Name: Trowbridge House
Common Name: Charlene Harris-Freeman House

DATE/PROPERTY TYPE/STYLE

Date Built: @1910
Style: Colonial Revival
Source of Date: construction methods
Property Type: Farm House

MATERIALS

Foundation: Stone and Cement
Walls: Vinyl Siding
Roof: Asphalt

DESCRIPTIVE NOTES

T2N, R11E, SEC 18 STRAWBERRY HILL LOT 37 EXC BEG AT NE LOT COR, TH S 00-16-39W 191.86 FT TH N 89-43-00 W 44.61 FT, TH N 13-22-02 E 196.97 FT TO BEG

A two-and-half -story wood frame building built in the colonial revival style about 1890-1910. The attic over the original portion of the house has been partially finished. The building was built in two portions. The original portion of the house followed balloon construction and the colonial revival style. The original portion was built by an unknown individual. In 1916 Alexander Copland had the newer section added and made some alternation to the original structure about that time. Copland substantially altered the interior of the home. We were unable to ascertain when the basement was dug, but the foundation of the original portion is in one piece while

the addition sits over a crawl-space. Copland also built a new entranceway, to what is now the front door, covering the original transom. All beams used as floor and ceiling joists are 2" by 11.5"; all 2" x 4" are at the nominal dimensions; all nails are wire nails; dormers do not extend to the roof line; sub-flooring is on a diagonal. There are no mortis-and-tenon joints, no logs used in the floor, homogenous white pine studs and joists were used throughout. As white pine was not native to the site, native trees were not used to construct the home. Original hardwood floors are maple and have either 2" widths or 2.5" widths.

OTHER BUILDINGS/FEATURES

In the process of building the subdivision, all of the out-buildings were removed, save for the care-takers house which burned down in 1984. The outcome of these events was that the home was left alone without other historically related resources.

THEMES/SUBTHEMES:

Farming

HISTORY

The land was first purchased by Charles Trowbridge who was born in New York and migrated to Michigan settling in Troy in 1821. In 1828, his brother S. V. R. purchased the land the house now sits on from Charles. S. V. R. died and was buried in the Beach Road Cemetery on March 1 1859. The land then passed to S. V. R.'s widow Elizabeth and from her to their son Guy Maxwell Trowbridge. Elizabeth died in 1873, and by 1876 Guy lived in Pontiac. Guy was listed on the 1870 census as a resident of Troy, but not the 1880 Troy census. In that census he was listed as resident of Pontiac. Guy's daughter Carrie was born in 1876 in Pontiac. In 1890 C. Horton exchanged the parcel of land to G. Tuttle. Also in 1890 G. Tuttle exchanged the land to W. Willits. Willits exchanged the parcel with Frederick Joy. In 1908 L. Hauge, W. Walker and H. Joy exchanged a number of parcels of land. Ultimately, the parcel originally purchased by Charles Trowbridge was exchanged to J. Bryson in 1910. J. Bryson sold the land to Alexander W. Copland in 1913. Copland retained the land until 1936 when his estate sold the land to M. S. Williams. Williams sold the home to Lawrence and Joy Raemakars in 1982. The Raemakars sold the home to Robert and Jeanne Burton, who sold it to Charlene Harris in 2001. Williams sold the surrounding 30 acres of land to developers who created the Strawberry Hill subdivision in the 1970's.

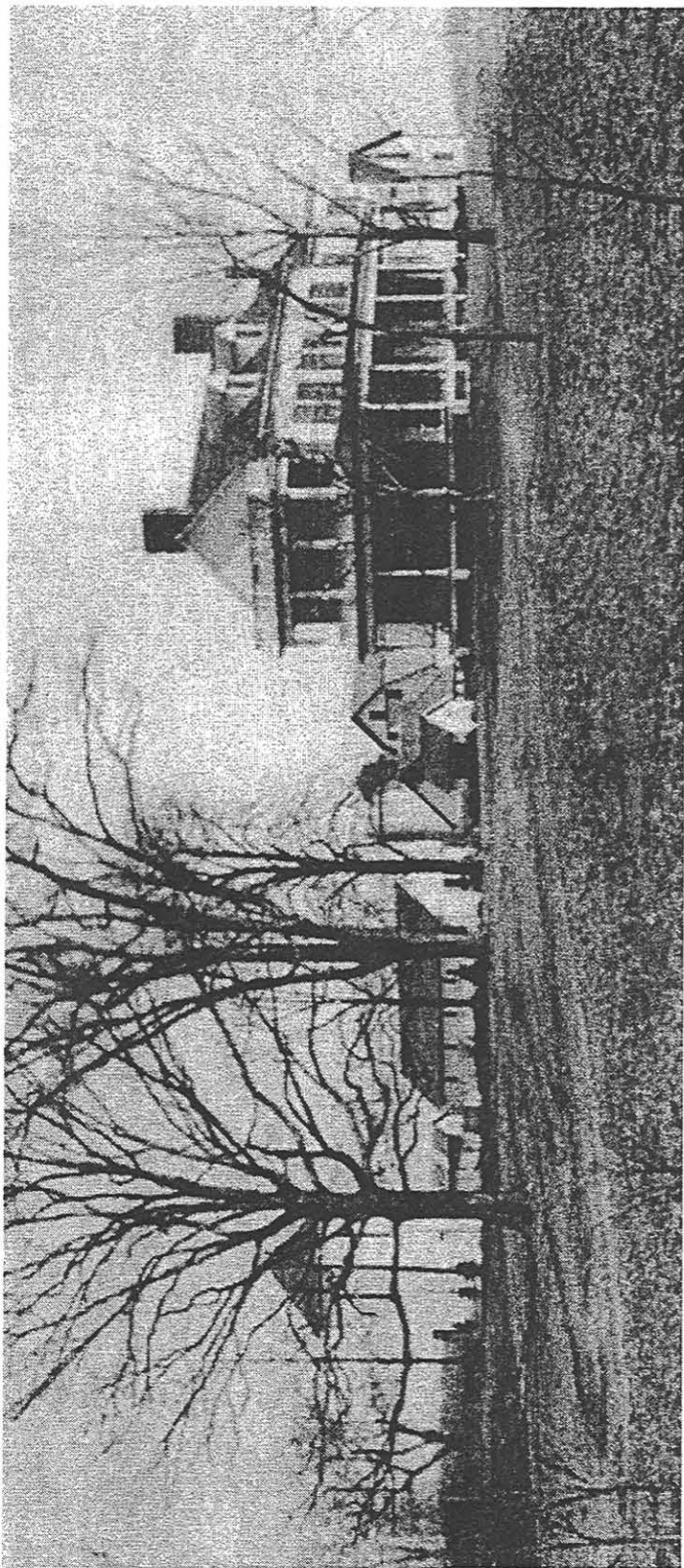
SOURCES UTILIZED

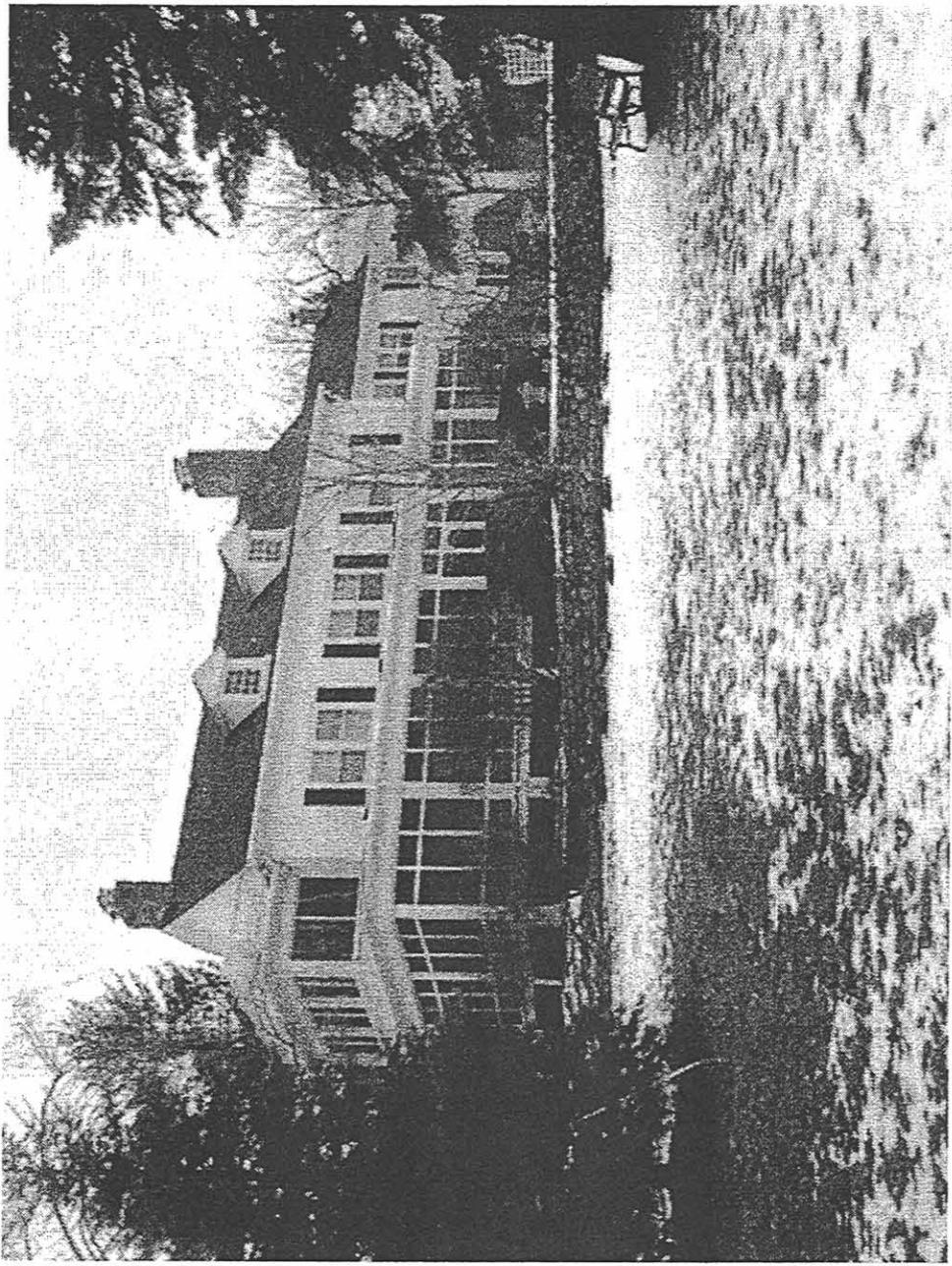
Pioneers of Oakland County
Reminiscences of an early Michigan settler, contributed by Mrs. E. B. Kresge

History of Oakland County Michigan
Pioneer Society of Michigan
Vital Records of Oakland County 1850-1917.
U. S. Census Records 1850, 1870, 1880, 1900, 1910,
Oakland County Liber of Deeds

PHOTO INFO









The Petitioner has discovered from her and her husband's own extensive and thorough research, as more fully discussed later in this memo that Trowbridge could not have built or resided in the existing House. The facts demonstrate that the Trowbridge family likely sold all the land by the late 1800's. The purchasers of the land began platting and otherwise splitting up the estate in the late 19th and early 20th centuries leaving the existing house on a small fraction of the existing estate in a platted subdivision.

According to the provisions of the Local Historic Districts Act, MCL 399.214 ("LHDA"), the Petitioner first requested on July 31, 2003 that the Historic District Study Committee ("Committee") recommend that the City Council eliminate the Quail Run Historic District ("Quail Run") from the City of Troy Historic District Ordinance. Under the LHDA, a city may eliminate a historic district if: 1) it no longer has the physical features that justified the creation of the district; 2) the historic district is not significant in the way the city had originally designated it, or 3) the city used defective procedures to establish the district. MCL 399.214(i)-(iii). The fulfillment of any one of these criteria justifies eliminating a historic district.

The City should formally eliminate the Quail Run district because it never met the criteria for a historic district, it did not have the physical features to justify the designation, and the City clearly used improper procedures when designating the property in 1984.

Technically, there is no district to eliminate because the City never legally established the purported district as fully discussed below.

I. The City Used Defective Procedures When It Purported to Establish the Quail Run District

The City has no inherent authority to regulate property based upon its alleged historic value, but gets that authority from the LHDA. *Draprop Corp. v Ann Arbor*, 247 Mich App 410, 421, n6 (2001). The LHDA mandates specific procedures for establishing a historic district. The

City failed to follow these mandatory procedures and consequently never legally established the purported Quail Run district.

The City's first fatal mistake is that the City Council never appointed a historic district study committee to recommend the establishment of the District. The LHDA, since its inception in 1970, has always required that a city council appoint the historic district study committee to establish a historic district. The City's historic district ordinance in effect in 1983-84 failed to incorporate this mandatory provision from the LHDA and instead purported to authorize the Historic District Commission ("HDC") to recommend the establishment of historic districts. The HDC and Study Committee are two distinct bodies and the LHDA imparts no authority to the HDC to establish historic districts. The HDC has never had any power or authority to recommend the establishment of a historic district and its attempt to do so is *ultra vires* and therefore invalid.¹

Although, the City's failure to appoint a historic district study committee alone invalidates the Quail Run district, the City also failed to follow several other crucial procedures when it wrongly designated the Quail Run district.

The LHDA also requires that the study committee conduct research regarding the areas that it proposes for establishment as a historic district and then prepare a preliminary report with its recommendation whether to establish a district. The Committee must transmit the preliminary report to the local planning commission, the Michigan Historic Commission, and the State Historic Advisory Council for their review and recommendation.

¹ The agency that administers the LHDA has also opined that the HDC cannot serve as the study committee. See "A Guide to Michigan Local Historic Districts Act, Michigan Historic Preservation Network and Michigan Bureau of History (1992). Amy Arnold, who oversees local historic districts for the Michigan Historic Preservation Office has also confirmed that "A historic district commission has never had the authority to establish local historic districts"... A historic district commission cannot designate a local historic district and never could. "(EXH)

Instead of appointing a study committee to conduct the research and make the required recommendation, the City's records reveal that a single member of the HDC, Dorothy Scott ("Scott"), filled out a document entitled "Building-Structure inventory form" (the "Form") in which she made unsupported representations regarding the history and significance of the Quail Run property. Importantly, no evidence exists that Scott or the HDC submitted the Form to the Michigan Historic Commission and the State Historic Advisory Council as plainly mandated under the HDC.² It is also a stretch to characterize the Form as the preliminary report required under the LHDA.

The LHDA further provides that the study committee must hold a public hearing that complies with the Open Meetings Act, MCL 15.261, et seq. 60 days after transmitting the preliminary report to the appropriate bodies. It is indisputable that the third major procedural error that the City committed when purporting to form the Quail Run district is that the Committee, which did not even exist, failed to hold the required public hearing at the required time. The purpose of waiting more than 60 days to hold the committee meeting is to give the reviewing bodies a chance to comment on the preliminary report before the Committee holds its required public hearing.

According to City records, on October 5, 1983, the Troy Historic District Commission held a meeting at which four out of eight members voted to pass a resolution that "the new site survey on the Trowbridge House, 2955 Quail Run, Troy, Michigan 48084, be submitted to the City Council for consideration as a historic district." There were apparently eight members on the HDC, but four were absent. The HDC did not conduct any other business that evening because of the lack of a quorum. The chair called the meeting to order at 7:45 p.m. and

² According to the Petitioner's research, the State has no record of Scott's Form. (Exh)

adjourned it at 7:49 p.m. It appears, therefore, that the HDC spent a total of 4 minutes on the resolution to recommend Quail Run as a historic district. There is also no proof that the meeting was a public hearing held in compliance with the open meetings act or that the HDC held the hearing 60 days after transmitting the preliminary report to the appropriate reviewing bodies.

The HDC, in fact, transmitted its *ultra vires* recommendation to create the historic district to the Planning Commission after rather than before holding its hearing, as required under the LHDA. The Planning Commission apparently considered the HDC's invalid resolution at their regular meeting of November 8, 1983. Former Planning Director, Lawrence Keisling, wrote a memo to former City Manager Frank Gerstenecker informing him that the Planning Commission had no problem with the designation and had passed a resolution to recommend to the City Council that it designate Quail Run as a historic district. The memo contains no discussion regarding the basis for, or merit of, designating the House as a historic district.

The City Council held a public hearing on February 13, 1984 at which it considered the recommendation for designating the House as a historic district. Under the clear terms of the LHDA, the study committee must submit its final report to the planning commission and the city council before the city council acts on a recommendation to enact an ordinance to establish a historic district. Even if the HDC could have substituted for the study committee, which it clearly could not, it also failed to prepare and transmit the final report to the City Council. Moreover, the minutes from the meeting reflect that the City Council passed a resolution to adopt an ordinance to designate the Quail Run House as a historic district without any substantive discussion concerning the merits of forming a district.

It is clear, therefore, that the City's procedures for designation of the House as a historic district were completely defective as follows:

- The City failed to appoint a study committee;
- Instead of appointing a study committee, the City, contrary to law, purported to authorize the HDC to make recommendations on the formation of historic districts;
- The HDC, which had no power to act, further failed to prepare a factually accurate preliminary study;
- The HDC then failed to transmit the “preliminary report” to the proper state authorities;
- The HDC failed to submit the preliminary report to the planning commission before holding its defective hearing;
- The HDC also failed to hold the required public hearing at the proper time and passed the resolution to recommend the historic district without any substantive discussion or even a quorum; and
- The HDC also failed to prepare and submit a final report to the City Council before it enacted the purported ordinance establishing the historic district.

In *Draprop, supra*, the Court cautioned that a city must follow the statutory requirements of the LHDA and act within its ambit, in order to create a valid historic district. The Court reasoned that the legislature required strict conformance with the LHDA to balance the protection of individual property rights with the aims of historic preservation. *Id.* at 416. The Court held, “[a]lthough the LHDA gives local government the authority to regulate private property for historic preservation purposes, such authority must be exercised in keeping with the mechanisms set forth in the act to maintain the careful balance between public and private interests.” *Id.*

The Michigan Supreme Court has also held in a different but analogous situation, that the failure to enact a zoning ordinance according to the legislatively mandated procedures can result in the invalidation of the ordinance regardless of the passage of time between enactment and the

challenge to the procedural defects. *Castle Investment Co. v. City of Detroit*, 471 Mich 904 (2004); See also *Village of Lincoln v. Viking Energy of Lincoln*, Supreme Court #127144 (January 27, 2006).

The LHDA provides that the city council may eliminate a historic district when the local unit has created it contrary to the required procedures. The City's argument that it complied with the Act "in spirit" is both erroneous and unavailing because the LHDA requires strict rather than substantial performance to create a valid district. Moreover, the City's designation was so riddled with fatal errors that it was void *ab initio* and the purported district simply does not exist.

II. No Factual Foundation Exists to Support the Alleged Significance of the Purported Historic District

The City not only failed to follow the mandated procedures in its invalid attempt to create the Quail Run district but there was never any legal basis to designate the House as a historic district.

First, under the LHDA, as it existed in 1984, there was no statutory basis to create a single resource historic district. The *Draprop* court held contrary to the Michigan State Historic Preservation Office's ("MSHPO") opinion that the most recent amendments to the definition of "historic district" in the LHDA do not permit single resource districts, per se. A discontinuous historic district may contain a single historic resource, but that historic resource must be connected to other resources, if not geographically, then in other required ways to form a valid historic district.

Even if the MSHPO were correct that it is lawful to designate single resources as a historic district, the Quail Run house does not fit the MSHPO's criteria for a single resource historic district. The MSHPO has opined that a qualified single resource district must meet the

criteria for designation under the National Register of Historic Places. To meet the national standards for inclusion in the Register, a qualified single resource must be an outstanding example of architecture, such as a Frank Lloyd Wright house, or the home of a nationally prominent person. See “Local Historic Districts in Michigan,” State Historic Preservation Office, p.20.

Even if a district may contain a single resource, therefore, the Quail Run House does not meet the stringent criteria for designation. First, although Trowbridge has roots in the history of Troy Township, that lineage or association alone is not sufficient to meet the criteria for a single resource district under the National Register criteria. More importantly, there is no proof whatsoever that Stephen V. R. Trowbridge built or ever occupied the existing House. Scott claimed that Trowbridge allegedly built the house in approximately 1830, but the Petitioners have undisputable evidence that Trowbridge could not have built the house in 1830 and that whoever built the House did not construct it until at least 1880-1895. This was long after any Trowbridge lived on the land let alone in the House.

Stephen Trowbridge died in 1859. The land and tax parcel records show that Guy Maxwell Trowbridge, the son of Stephen and his wife Elizabeth, who died in the 1870’s, obtained title to the land around 1861-1862. According to census data, Guy Maxwell Trowbridge moved from Troy to Pontiac between 1870 and 1880. Although the land records are incomplete, they show that Trowbridge sold 40 acres of the estate to Beach, which deed someone recorded in 1878, after Trowbridge’s death. The land records do not show when Trowbridge sold the balance of the land and to whom, but in 1890 persons other than Trowbridge began transferring title to the remaining approximately 168 acres. A Troy Township tax parcel map dated 1896 shows that Frederick Joy owned the remaining 168 acres. The tax parcel maps from 1872 to

1916 also show various structures on the site, whose number changed between the 1872, 1896, 1906 and 1916 maps. There are blueprints dating from 1916, which show that the owner of the House at that time, Alexander Copland, made extensive renovations and additions to it.

There is no evidence demonstrating who built the original structure, but the House itself reveals that nobody could have built it until shortly before Copland made his changes to the structure in 1916.

The Petitioners contacted Robert McKay, who is a historic architect with the State Historic Preservation Office. Mr. McKay opined that the house likely was not built until the 1880's or later based upon the architectural style of the house and the materials used in the construction of the house. The style of the house is classic Colonial Revival, which was not built in Michigan until the late 1880's. Most significant is that the House was constructed with wire nails, which were not manufactured until 1880 and were not used widely until the middle 1880's. McKay also cited other factors that dated the house to the 1880's or later such as "the use of single species standard dimension lumber; sawn lath to support the plaster; and continuous balloon framing from the foundation to the attic. McKay commented that despite the length of time that the Detroit area had been settled in the 1830's these types of off site manufactured building products would have been in very short supply if available at all. McKay also noted other historic architectural facts that date the house much later than 1830. These facts include that there are no hand hewn beams typical of construction up to the 1880's; the windows are double sash, which is indicative of the late 1800's to early 1900's; the fireplaces are designed for coal, which dates to the post civil war era; and the sub-flooring is on a diagonal, which is a building method that was not used until the very late 1800's. McKay concluded based on the evidence that construction of the House "more likely dates to between 1885 and 1895. " (Exh)

The Petitioners also obtained an opinion from Historic Architect, Gerald J. Yurk, AIA, who inspected the House, the method of construction and materials incorporated in the structure and also concluded that the House likely was constructed from the 1870's to the 1880's. (EXH)

There is no proof therefore that the House has any relationship to Stephen Trowbridge. The only connection to Trowbridge is that the House is situated on a small fraction of the land that Trowbridge once owned in 1821, but as shown below, that unremarkable and irrelevant fact also applies to the many modern houses located within the Northwest ¼ and part of the Southwest ¼ of section 18 in modern day Troy.

III. The Site Has Never Had the Appropriate Physical Features To Enable the Establishment of a District

The original Trowbridge Estate contained approximately 200 acres. The land title records show that Trowbridge's immediate heirs and descendants recorded in 1876 the sale of 40 acres of the original estate to Beach. By 1872, G. M. Trowbridge, had title to the remaining approximately 160 acres, which he had disposed of by at least 1896.

In the early 1900's, the owners of the land further split the remaining acreage into a 100-acre and 68-acre parcel. Alexander Copland purchased the 100-acre parcel just in 1915 and Bradway purchased the 68 parcel in the same year. Beginning in the 1920's, developers platted and further divided the 68 acres. In the 1940's and 50's, the platting and splits continued with the development of the 100 acres that Copland purchased.

In 1978, the owners of the House and the remaining approximately 30 acres, which was once part of the Copland 100 acres, sold most of the land for the development of the Strawberry Hill and Strawberry Hills I subdivisions. The developers included the House in the first recorded Strawberry Hill plat.

After all these changes to the land and surrounding area over the last many years, the setting of the House no longer recalls a definable time in history that provides insight into Troy's past heritage as a farming community when it was first settled by persons such as Stephen Trowbridge. The House, while lovely, is located on a lot that has no visual connection to the original Trowbridge estate of which no pictorial history even exists to document the alleged historic value of the Quail Run Property. When the City in 1983-84 made its failed attempt to designate the Property, it was already located in a modern subdivision and the prior owners had already removed the outbuildings and barn. The physical setting of the House, therefore, long ago lost all integrity in the way of feeling or association and has no identifiable history to communicate. The City's continued designation of the House, therefore, is invalid.

If the City wants to honor the location, it could petition for a state historic marker, but the House does not meet the criteria for designation as a historic district.

CONCLUSION

The City should eliminate the Quail Run House as a purported historic district because there is absolutely no justification to designate the Property as historically significant. The designation is, in any event, void because the City utterly failed to designate the House according to the mandated procedures. The Petitioner, therefore, urges the City to eliminate the district and remove the cloud of the invalid designation from the property.

abstain from voting on the issue only if she had a financial or other interest that would present a conflict of interest.

The committee discussed the City Attorneys memo of March 14, 2006, which stated "the procedure followed upon the initial designation was in compliance with both state and local law."

Mr. And Mrs. Freeman provided four additional documents that supported their position that 2955 Quail Run Drive was improperly designated. These documents include:

1. A memo to the Troy Historic (District) Study Committee, May 23, 2006
2. Email correspondence to Mr. Freeman from Robbert McKay (spelled correctly), Historical Architect, State Historic Preservation Office, April 3, 2006
3. A letter to Mr. And Mrs. Freeman from Gerald J. Yurk, Architect dated April 18, 2006
4. A detailed Michigan Above-Ground Survey Field Form completed by Mr. And Mrs. Freeman

The materials detail a structural inspection and architectural evidence that support that the house was built between 1870 and 1890. The materials also present census data that SVR Trowbridge died in 1859 and therefore could not have constructed the house.

Kevin Lindsey requested the following:

1. That all the documentation be forwarded to the City Attorney and that the City Attorney review the Freeman's memo of May 23, 2006
2. That the information on SVR Trowbridge be verified.

B. New Above Ground Survey Assignments

The following assignments were given:

- | | |
|----------------------------|-------------------------|
| 1. 770 W. Square Lake Road | Linda Rivetto |
| 2. 330 W. Square lake Road | Linda Rivetto |
| 3. 4800 Beach | Charlene Harris-Freeman |
| 4. 4820 Livernois | Paul Lin |
| 5. 3645 Crooks Road | Kevin Lindsey |
| 6. 160 E. Square Lake Road | Kinda Hupman |

NEW BUSINESS

A. Robert's Rules of Order

Kevin Lindsey reported that the City Clerk has advised the committee to adopt Robert's Rules of Order.

Resolution #HDSC-2006-05-003

Moved by Lin

Seconded by Rivetto

RESOLVED, That the Troy Historic District Study Committee adopt Robert's Rules of Order for conducting meetings

Yes: 5— Lindsey, Harris-Freeman, Hupman, Lin and Rivetto

No: 0

MOTION CARRIED

Mr. Lin further urged that the City of Troy adopt a Code of Conduct and Statement of Ethics for all boards, Commissions and for City Council.

The Troy Historic Study Committee Meeting was adjourned at 9:50 PM. The next meeting will be held Tuesday, June 6, 2006 at 7:30 p.m. at the Troy Museum & Historic Village.

Kevin Lindsey
Chairman

Loraine Campbell
Recording Secretary